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3
4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

6 * * *

7 MICHAEL YOUNG,

8 Plaintiff(s),

9 v.

10 STATE OF NEVADA,

11 Defendant(s).

Case No. 2:16-CV621 JCM (PAL)

ORDER

12
13 Presently before the court is Magistrate Judge Leen's report and recommendation that *pro*
14 *se* plaintiff Michael Young's complaint be dismissed for failure to file a timely amended complaint
15 by April 17, 2017, as indicated in the screening order. (ECF No. 4); *see also* (ECF No. 2). No
16 timely objections have been filed to the report and recommendation.

17 This court "may accept, reject, or modify, in whole or in part, the findings or
18 recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). If a party fails to object to a
19 magistrate judge's report and recommendation, however, the court is not required to conduct "any
20 review at all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140,
21 149 (1985).

22 Indeed, the Ninth Circuit has recognized that a district court is not required to review a
23 magistrate judge's report and recommendation where no objections have been filed. *See United*
24 *States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard of review
25 employed by the district court when reviewing a report and recommendation to which no
26 objections were made); *see also Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003)
27 (reading the Ninth Circuit's decision in *Reyna-Tapia* as adopting the view that district courts are
28 not required to review "any issue that is not the subject of an objection.").

1 This court agrees that plaintiff has failed to submit a timely amended complaint and will
2 adopt the report and recommendation in full.

3 Accordingly,

4 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the report and
5 recommendation of Magistrate Judge Leen (ECF No. 4) be, and the same hereby are, ADOPTED
6 in their entirety.

7 DATED August 1, 2017.

8 
9 UNITED STATES DISTRICT JUDGE